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TAGS: [PHUM](#) [PREL](#) [PGOV](#) [KPAO](#) [TH](#)
SUBJECT: MEDIA FREEDOM IN COMMUNITY RADIO: A VIEW OF NORTHERN
THAILAND

REFS: (A) BANGKOK 5325

(B) 2006 Country Reports on Human Rights Practices, Thailand

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Summary

¶1. (SBU) On December 12-13, AIO and LES Specialist visited community radio stations in the northern region of Thailand. Community radio members with whom we met expressed concern over the current operating environment, but indicated that not much had changed between the Thaksin and post-Thaksin era. Community radio continues to operate in a legal void and until legislation is established that will sanction its operation, pressure to stifle and control these community-based voices is unlikely to end. End Summary.

¶2. (SBU) Background: Prior to the September 2006 coup, the basis for community radio in Thailand was found in Article 40 of the 1997 Constitution, which stated that the transmission frequencies for radio and broadcast television were national communication resources to be used in the "public interest." The now defunct constitution also called for the creation of an "independent regulatory body," the National Broadcast Commission (NBC), to distribute these frequencies for the public benefit. Appointment of the NBC remained stalled for years due to political infighting (at the time of the 2006 coup there was still no NBC) and community radio was forced to operate outside the law. The Public Relations Department (PRD) established interim regulations in 2003 allowing community radio stations to continue "extra legal" operations, though limiting them to 30 watts of power, a 30-meter antenna and a broadcast range of 15 to 18 kilometers. (Note: Despite this regulation, during a November visit to a community radio station, Poloff was told that many stations "disregard" the 30-meter rule. End note.)

¶3. (SBU) Background Continued: With the abrogation of the 1997 constitution following the coup last year, the estimated 2,000-3,000 community radio stations in Thailand now operate within an even more precarious legal void than before. In the immediate aftermath of the coup, the military government shutdown community radio stations across the country under the guise of national security. Within a few weeks, most of these stations were allowed to resume operating. In July 2007, the cabinet approved the draft Radio and Television Broadcasting Bill that, once enacted, will provide a mechanism under which community radio stations can operate legally (Ref A); however, under the current situation, community radio stations continue to operate with little, if any, protection or support from the government. End background.

¶4. (SBU) On December 12, AIO and LES Specialist met with a group of 16 community radio operators and staff in rural Chiang Dao, about 75 kilometers outside Chiang Mai. The group met at the simple, yet expansive compound of community radio FM 105.25 where the station broadcasts out of a small, sparsely furnished room. In addition to the radio control room, the compound contains an open air meeting area, library, kitchen, and stage where the group puts on community education performances. The station, which is wholly community administered and funded, has a monthly operating budget of 2,000 baht and broadcasts from 8:30am-5:00pm daily except Sundays. Programming focuses on issues of particular concern to this agricultural community, including resource and environmental management (e.g. water and land rights).

¶5. (SBU) The participants discussed concerns about the current operating environment for community radio stations in the north of Thailand for two hours, in lively discussion. Most agreed that there was little difference "legally speaking" between the Thaksin and post-Thaksin regimes, since under both governments, community radio was considered illegitimate. (Note: This sentiment was brought home during AIO's visit to government-run Radio Thailand, where a staff member retorted, "They are all illegal," when told we were visiting community radio stations the next day. End note). A young woman who recently launched a community radio station in the area commented that she believed things were worse under Thaksin because, "we had a dictatorship disguised as democracy." A second individual disagreed, saying he thought the situation was worse now. He commented that the military government was increasingly trying to control them, pressuring community radio stations to sign operating guidelines that provide little freedom in programming.

¶6. (SBU) When asked about censorship, the station manager from Community Radio Huay Sai replied, "No, we are not censored. As long as we stick to [the military's] guidelines, we have no problems." (Note: Our interlocutors were either unable or unwilling to provide

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specifics, commenting only that the guidelines contain language like, "Don't criticize the government." "Don't talk about controversial issues." "Don't broadcast in local languages." End note.) Despite continued pressure from the government, our interlocutors indicated that they continue to air programs on relatively sensitive issues (i.e. water rights, corruption, etc.) and broadcast in local languages with little repercussion from the military. None were aware of stations being taken off the air in recent months for overstepping the guidelines, though they did indicate that many of them had received "warning" visits from military and local authorities. All present did say that they looked forward to the elections and hoped the next, democratically-elected government would create a better situation for community radio.

Fake Official Issues (Fake) Order

¶7. (SBU) A contact at FM 99.00 Community Radio based in Chiang Mai told ConGen staff on December 20 that there had been two recent Internal Security Operations Command (ISOC) orders to close down two community radio stations in Chiang Mai, one six months ago and another three months ago, on the grounds they violated the regulations prohibiting non-Thai language broadcasts. (Note: ISOC is the unit of the Thai military responsible for national security issues. End note.) However, he could not specify the names of the affected stations. Recently, he said, there was a case in Chiang Mai's Doi Tao district where a man claiming to be an ISOC official ordered a Karen-language community radio station to close down. When the station operators and a group of ethnic Karen appealed the order, they found it was fake and meant to extort money from the station (the impostor ISOC official expected to be paid to negotiate the removal of the order).

¶8. (SBU) The same contact noted that ISOC has been monitoring all community radio stations for security reasons, particularly

targeting those considered to be pro-Thaksin. He claimed his own station has never had any problems with ISOC because ISOC is well-aware of his anti-Thaksin stance and the fact that his staff effectively runs ethnic/tribal language programs. (Note: Programming in ethnic languages itself is not prohibited, as long as the foreign language content is either translated into Thai or summarized in Thai. End note.) He recalled that two community stations were ordered to close permanently after the coup because they were deemed to be pro-Thaksin. Others that were politically neutral, he said, have been allowed to resume broadcasting since the initial order to shut down. (Note: Soon after the coup, local branches of the PRD asked hundreds of community radio stations in the North and Northeast to cease broadcasting. The army claimed that the stations were too difficult to monitor to ensure that they were not broadcasting pro-Thaksin information. Within two weeks, most of these stations had permission to resume operating. (Ref B) End note.)

The New Broadcast Bill: Say What?

¶9. (SBU) During the December 12 discussion with community radio members in Chiang Dao, most of the group admitted that they knew little about the draft Radio and Television Broadcasting Bill. The group's leader and trip facilitator, Punnaporn Paiboonwattanakit of the Network of People's Media of the North, outlined some aspects of the bill for the group, stating that she believed the most positive aspect of the bill was that it would finally provide a legal framework for community radio. However, she said that the new regulatory system would also open the door to increased competition from well-funded, commercial organizations and foundations that would be allowed to apply for community radio licenses. She said she feared these stations, which she believed would program according to their commercial interests not those of the community, would squeeze out "true" community-based radio stations. Many in the group indicated that increased competition was already an issue and that they were finding it difficult to maintain listenership in the face of the spread of popular music stations.

Strong Community Makes Strong Radio

¶10. (SBU) Later on December 12, AIO and LES specialists met with a dozen members from community radio stations in Vieng Hang district, a minority Shan area located 20 kilometers from the Burmese border. The group was hosted by FM 89.00, a relatively new, yet well-supported community radio station co-located on the grounds of the community wat (Buddhist temple). The wat abbot and station manager, Phra Samuthani Thitawiriyo, swathed in his saffron robe,

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shared with the group a powerpoint presentation that outlined the basis for a good community radio station ("Comes from the people and is for the people," "Remains neutral," and "Behaves ethically"). He commented on the station's programming, which included reports on the negative aspects of a proposed power plant project in the area, corruption among local officials, and other politically sensitive issues. He also revealed that his station continued to disregard the ISOC Region 3 order issued following the coup prohibiting community radio stations from broadcasting in local (minority) languages. (Note: Again, none of the participants in this exchange were aware of stations being removed from the air recently, be it for reporting on politically sensitive issues or ignoring the standing order not to broadcast in local languages. End note.)

¶11. (SBU) Following the presentation, there was a lengthy exchange of information between the attendees, many of whom had never met before. One community radio member from Mae Ping asked how FM 89.00 was able to criticize local authorities without retaliation, to which the station director replied they had strong support from the community and village chief, who served as a buffer between the station and the authorities. The village chief called himself the "black horse" among the city officials for protecting the station and indicated that he had received significant pressure to control the station, but did not act on it. The meeting closed with an exchange of gifts and a commitment by the group to continue this

collaboration with the future goal of establishing a community radio learning center in Vieng Hang to help development and strengthen community radio stations in the area.

Comment

¶12. (SBU) For rural populations in the north and throughout Thailand, community radio has provided a much-needed alternative to the some 500 plus RTG-controlled radio stations in the country. Despite occasional efforts to stifle the voices of these communities by military and government officials both now and during the previous administration, these community radio stations appear to be alive, if not always well. Government pressure to control programming remains steady and threats of shutdown, though apparently not acted upon in recent months, continue to hang over the heads of community radio operators. Until a legal framework for community radio operations is established, the environment for these stations will likely not change. How quickly the draft legislation on this issue moves through its final stages may provide a clue to the stance of the future government on this issue. End comment.

¶13. (U) This cable was coordinated with Amcongen Chiang Mai.

ENTWISTLE